

Revision: HCFA-PM-91-4  
August 1991

(BPD)

SUPPLEMENT 8b to ATTACHMENT 2.6-A  
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OMB No.: 0938-

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: Tennessee

MORE LIBERAL METHODS OF TREATING RESOURCES  
UNDER SECTION 1902(r)(2) OF THE ACT

☒ Section 1902(f) State

☒ Non-Section 1902(f) State

The following is a revised resource policy being requested under 1902(b)(2) of the Act.

11A. Groups Other Than Qualified Medicare Beneficiaries

For the Adult Medically Needy and Institutionalized categories, the individual/couple whose countable resources are valued at or below the resource limit at any time during the month meets resource eligibility throughout the entire month.

(Policy effective date: 4-1-88)

This compares with AFDC and SSI policy as follows:

AFDC - If the amount of resource exceeds the AFDC resource limit, the applicant/recipient must be notified that the resource causes the assistance unit to be ineligible but that he/she may reapply as soon as the resource is within the limit. At the point that the applicant/recipient reapplies and the resource is within the appropriate limit, resource eligibility is met.

Although AFDC money payment cannot be made prior to date of AFDC application, Medicaid coverage is authorized the first day of the month of application or 1st day of the 1st month eligibility is attained (if applicant/recipient is not eligible for the month of application). Medicaid eligibility may extend retroactively up to the three calendar months prior to month of application, if all eligibility criteria are met for the retroactive period.

AFDC effective date policy is not being changed by the revised resource policy, since the revision applies only to the Adult Medically Needy and Institutionalized categories.

MAY 26 1993

No. 92-7

Approval Date \_\_\_\_\_

Effective Date 1/1/92

Supersedes

TN No. 88-8(Addendum to supplement 12)

HCFA ID: 7985E

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SSI - In SSI, there is the first moment of the month resource eligibility requirement i.e. the individual must be resource eligible on the first moment of the month in order to be eligible for that month. (However, there is conditional eligibility based on the individual's agreement to dispose of excess non-liquid resources and repay for benefits received during the period of time the conditional benefits were paid.)

Prior to March 1, 1988, Tennessee used SSI resource treatment methodology for the Adult Medically Needy and Institutionalized categories, in that an individual had to have been resource eligible the first moment of the month in order to be resource eligible for that month. After March 1, 1988, we are applying a more liberal treatment of resources by allowing an individual to be eligible for the entire month if resources are at or below the resource standard at any time during that month. There is no restriction on how an individual uses the excess resource in order to reduce it to the resource eligibility limit.

Moratorium protection of the revised resource policy was approved based on the following:

1. This resource policy is listed in numerous interpretive materials/guidelines as an example of less restrictive policies allowed under the Moratorium.
2. The SSI first moment of the month rule is not binding for Moratorium protected policies.
3. Since Medicaid eligibility can be authorized from the first day of the month for AFDC recipients who attain eligibility during the month, we are not changing our State's effective date policy for this category.

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4. With respect to all other aspects of eligibility in all other categories (except for Medically Needy income "spend-down" cases), an individual is Medicaid eligible for the entire month if eligibility is attained at any time during the month. This effective date policy is not being changed by the resource policy revision, except that we are no longer applying the SSI 1st day of the month resource rule, which is allowed under the Moratorium.

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The following more liberal treatment of resources applies to the determination of eligibility for SSI-related aged, blind and disabled institutionalized individuals under 42 CFR 435.211, 435.217, and 435.231 and aged, blind and disabled Medically Needy adults under 42 CFR 435.420, 435.422, and 435.424 and Qualified Medicare Beneficiaries and Special Low Income Medicare Beneficiaries.

All of the individual's equity value in business/non-business resources used to produce income is excluded as a resource.

Business/Non-Business Resources are defined as land, buildings, equipment, supplies, inventory, tools of a tradesperson, livestock, etc. which are used in the person's trade or business, or in the employment of a family member or by the individual as an employee.

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  X   Non-Section 1902(f) State

For Qualified Medicare Beneficiaries and Special Low Income Medicare Beneficiaries, the individual/couple whose countable resources are valued at or below the resource limit at any time during the month meets resource eligibility throughout the entire month.

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